

**THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

WEST, DEWAINE BRIAN

DEBTOR

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**CASE NO. 01-43071-R
CHAPTER 7**

**TRUSTEE'S FINAL REPORT, APPLICATION FOR COMPENSATION,
AND REPORT OF PROPOSED DISTRIBUTION**

LINDA S. PAYNE, trustee of the estate of the above-named Debtor(s), certifies under penalty of perjury, to the Court and the United States Trustee, that the trustee has faithfully and properly fulfilled the duties of her office and that the trustee has examined all proofs of claims as appropriate under the proposed distribution, and that the proposed distribution, attached hereto, is proper, and consistent with the law and rules of court. The Trustee applies for the commissions and expenses set forth herein and states that they are reasonable and proper.

I hereby authorize the Office of the United States Trustee to file by electronic means this Trustee's Final Report, Application for Compensation and Report of Proposed Distribution on my behalf, and I agree and acknowledge that the designation of my signature on this document once filed, constitutes my valid signature for the purposes of 11 U.S.C. § 704(9) and Fed.R.Bankr.Pro.9011.

Therefore, the Trustee requests that the Final Report, Application for Compensation and Report of Proposed Distribution be approved.

Date: November 20, 2003

/s/ Linda Payne
Linda Payne, Trustee

SCHEDULE A-1

FINAL ACCOUNT AS OF: 11/20/03

A: Receipts	\$189.74
B. Disbursements	
1. Secured Creditors-----	\$
2. Administrative-----	
3. Priority-----	
4. Other-----	
Total disbursements-----	\$
C. Current Balance	\$189.74

Form 1
Individual Estate Property Record and Report
Asset Cases

Case Number: 01-43071 DRS
Case Name: WEST, DEWAINE BRIAN
 WEST, MELLISSA IRENE
Period Ending: 10/23/03

Trustee: (631540) LINDA S. PAYNE
Filed (f) or Converted (c): 08/03/01 (f)
\$341(a) Meeting Date: 09/24/01
Claims Bar Date: 12/27/01

Ref. #	Asset Description (Scheduled And Unscheduled (u) Property)	Petition/ Unscheduled Values	Estimated Net Value (Value Determined By Trustee, Less Liens, Exemptions, and Other Costs)	Property Abandoned OA=\$554(a) abandon. DA=\$554(c) abandon.	Sale/Funds Received by the Estate	Asset Fully Administered (FA)/ Gross Value of Remaining Assets
1	Cash , checking and savings accounts	400.00	0.00	DA	0.00	FA
2	Household goods	615.00	0.00	DA	0.00	FA
3	Clothing and jewelry	550.00	0.00	DA	0.00	FA
4	Mechanics Lien - Rolex Bldg Attorney pursuing lien. Was not collectible. Work not completed. (See Footnote)	47,481.00	10,000.00		0.00	FA
5	1996 Ford Explorer	13,000.00	0.00	DA	0.00	FA
6	1977 GMC Pickup Surrendered by debtor	Unknown	0.00	DA	0.00	FA
7	1993 Dodge Pickup	1,200.00	0.00	DA	0.00	FA
8	Machinery & equipment Surrendered to bank - checking value.	35,000.00	0.00	DA	0.00	FA
9	Tools	500.00	0.00	DA	0.00	FA
10	Pets	200.00	0.00	DA	0.00	FA
11	Refunds (u)	0.00	188.94		188.94	FA
12	Int INTEREST (u)	Unknown	N/A		0.80	Unknown

Assets **Totals (Excluding unknown values)** **\$98,946.00** **\$10,188.94** **\$189.74** **\$0.00**

Form 1

Individual Estate Property Record and Report

Asset Cases

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1						

RE PROP# 4 Debtor sending information - will hire atty to pursue.

Major Activities Affecting Case Closing:

Ready to close

Initial Projected Date Of Final Report (TFR): August 1, 2002

Current Projected Date Of Final Report (TFR): August 1, 2003

Form 2

Cash Receipts And Disbursements Record

Case Number: 01-43071 DRS
 Case Name: WEST, DEWAINE BRIAN
 WEST, MELISSA IRENE
 Taxpayer ID #: 13-7337490
 Period Ending: 10/23/03

Trustee: LINDA S. PAYNE (631540)
 Bank Name: JPMORGAN CHASE BANK
 Account: 312-8897618-65 - Money Market Account
 Blanket Bond: \$300,000.00 (per case limit)
 Separate Bond: N/A

1 Trans. Date	2 {Ref #}/ Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	8 Money Market Account Balance
09/26/02	{11}	StateComptroller - Texas	Refund	1224-000	188.94		188.94
10/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.7500%	1270-000	0.12		189.06
11/29/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.08		189.14
12/31/02	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.07		189.21
01/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.07		189.28
02/28/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4300%	1270-000	0.06		189.34
03/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	0.07		189.41
04/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.4000%	1270-000	0.06		189.47
05/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	0.06		189.53
06/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	0.05		189.58
07/31/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.3000%	1270-000	0.05		189.63
08/29/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	0.04		189.67
09/30/03	Int	JPMORGAN CHASE BANK	Interest posting at 0.2500%	1270-000	0.04		189.71
10/23/03	Int	JPMORGAN CHASE BANK	Current Interest Rate is 0.2500%	1270-000	0.03		189.74
10/23/03		To Account #312889761866	FINAL REPORT	9999-000			0.00

ACCOUNT TOTALS 189.74 189.74 \$0.00
 Less: Bank Transfers 0.00 189.74
 Subtotal 189.74 0.00
 Less: Payments to Debtors 0.00
 NET Receipts / Disbursements \$189.74 \$0.00

Form 2

Cash Receipts And Disbursements Record

Case Number: 01-43071 DRS
 Case Name: WEST, DEWAINÉ BRIAN
 WEST, MELISSA IRENE
 Taxpayer ID #: 13-7337490
 Period Ending: 10/23/03

Trustee: LINDA S. PAYNE (631540)
 Bank Name: JPMORGAN CHASE BANK
 Account: 312-8897618-66 - Checking Account
 Blanket Bond: \$300,000.00 (per case limit)
 Separate Bond: N/A

1 Trans. Date	2 {Ref #} / Check #	3 Paid To / Received From	4 Description of Transaction	5 T-Code	6 Receipts \$	7 Disbursements \$	8 Checking Account Balance
10/23/03		From Account #312889761865	FINAL REPORT	9999-000	189.74		189.74

ACCOUNT TOTALS
 Less: Bank Transfers 189.74 0.00
 Subtotal 0.00 0.00
 Less: Payments to Debtors 0.00 0.00
NET Receipts / Disbursements \$0.00 \$0.00

TOTAL - ALL ACCOUNTS

	Net Receipts	Net Disbursements	Account Balances
MMA # 312-8897618-65	189.74	0.00	0.00
Checking # 312-8897618-66	0.00	0.00	189.74
	\$189.74	\$0.00	\$189.74

SCHEDULE B

APPLICATION FOR COMPENSATION

TRUSTEE COMPENSATION: \$189.74

Total Receipts	\$		25% of First \$5,000.00	\$ 47.44
Less		(5,000.00)		
Balance	\$		10% of Next \$45,000.00	\$
Less		(45,000.00)		
Balance	\$		5% of Next \$950,000.00	\$
Less		(950,000.00)		
Balance	\$		3% of Remaining Balance	\$

TOTAL COMMISSIONS \$ 47.44

UNREIMBURSED EXPENSES: See attached Exhibit "A"

Recording Fees-----	
Premium on bond-----	
Travel-----	
Clerical & Stenographic-----	110.00
Copies 87 @ 0.25-----	21.75
Postage-----	7.90
Certified Mail (1)-----	
Court Certification-----	
Federal Express-----	

TOTAL UNREIMBURSED EXPENSES-\$139.65

RECORDS:

Trustee did not take possession of business or personal records of the debtor.

_____X_____

Trustee did take possession of business or personal records of the debtor.

Notice given to debtor on
to pick up business or personal records in
hands of trustee. If not picked up within
30 days such records or work files may be
destroyed.

Exhibit "A"
Expenses of West
Travel:

<u>Secretarial, Copies & Postage:</u>	<u>Copies</u>	<u>Postage</u>
Final Report 3.00	40	3.95
Distribution Checks 1.00	2	
Supplemental Final Report 1.50	45	3.95

Totals:

Travel = miles @ 0.35 per mile-----\$	
Secretarial = 5.50hrs @ \$20.00 per hour -----	110.00
Copies = 87 @ \$0.25 each-----	21.75
Postage-----	7.90

Total = \$139.65

**SCHEDULE C
EXPENSES OF ADMINISTRATION**

	AMOUNT CLAIMED	AMOUNT ALLOWED	AMOUNT PAID	AMOUNT DUE
1. 11 U.S.C. Sec 507(a)(1) <u>Court Cost and Fees</u>				
A. Notice & Claim Fees \$				
B. Adv. filing fees				
C. Quarterly Chapt 11				
2. 11 U.S.C. Sec 503(b)(1)(a) <u>Preservation of estate</u>				
A. Transportation				
B. Storage				
C. Wages				
D. Estates share FICA				
E. Insurance				
F. Other (itemize)				
3. 11 U.S.C. Sec.503(b)(2) <u>Post-Petition Taxes and related penalties</u>				
4. 11 U.S.C. Sec.503(b)(2) <u>Compensation and Reimbursement</u>				
A. Trustee Fees	47.44	0		47.44
B. Trustee Expenses	139.65	0		139.65
C. Attorney to Trustee				
D. Expenses for Attorney To Trustee				
E. Auctioneers Fees (See # on docket)				
F. Auctioneers Expenses (See # on docket)				
5. Other (Itemize)				
 TOTAL-----	 \$ 187.09	 0		 187.09

SCHEDULE D

SECURED CLAIMS

<u>Claim #</u>	<u>Claimant</u>	<u>Amount Claimed</u>	<u>Amount Not Determined</u>	<u>Amount Allowed</u>	<u>Previously Paid</u>	<u>Amount Due</u>
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Totals:0

SCHEDULE E

**PRIORITY CLAIMS OTHER THAN ADMINISTRATIVE EXPENSES
IN THE FOLLOWING ORDER OF PRIORITY**

	(1) Claim No.	(2) Amt. Claimed	(3) Amt. Allowed	(4) Amt. Paid	(5) Amt. Due
1. For Credit Extended §364(e)(1)					
2. Claims from failure of adequate protection §307 (a)(b)					
3. "Gap Claims" §507 (a)(2)					
4. Wages, etc. §507 (a)(3)					
5. Contributions to benefit plans §507 (a)(4)					
6. Engaged in raising of grain or fisherman §507 (a)(5)					
7. Consumer deposits §507 (a)(6)					
8. Alimony or child support §507 (a)(7)					
9. Taxes §507 (a)(8)					
Internal Revenue Service	14	63,914.77	ALL	0	ALL
TOTAL ALLOWED PRIORITY CLAIMS: \$ 63,914.77					

FILED UNSECURED CLAIMS TOTAL: \$35,126.01
SUBORDINATED UNSECURED CLAIMS: \$ 2,532.38

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

WEST, DEWAINE BRIAN

DEBTOR

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**CASE # 01-43071-R
CHAPTER 7**

TRUSTEE'S REPORT OF PROPOSED FINAL DISTRIBUTIONS

The undersigned Trustee of the estate hereby submits to the Court and to the United States Trustee this Report of Proposed Final Distributions.

1. The Court has entered orders which have become final, and which dispose of all objections to claims, all objections to the Trustee's Final Report, all applications for compensation and all other matters which must be determined by the Court before final distribution can be made.
2. The trustee proposes to make final distribution of the funds of the estate as follows, and will make such distribution unless written objection hereto is made, filed and served on the Trustee and on the United States Trustee.

1. BALANCE ON HAND	\$	189.74
2. ADMINISTRATIVE EXPENSES TO BE PAID	\$	187.09
3. SECURED CLAIMS TO BE PAID	\$	0
4. PRIORITY CLAIMS TO BE PAID	\$	2.65
5. UNSECURED CLAIMS TO BE PAID	\$	0
6. OTHER DISTRIBUTIONS TO BE PAID	\$	0
7. TOTAL DISTRIBUTIONS TO BE MADE	\$	189.74
8. ZERO BALANCE AFTER ALL DISTRIBUTIONS	\$	0

Dated: November 20, 2003

/s/ Linda S. Payne
Linda S. Payne, Trustee

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

IN RE:

WEST, DEWAINE BRIAN

DEBTOR(S)

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§ **CASE NO. 01-43071-R**
§ **CHAPTER 7**
§
§

**ORDER ALLOWING TRUSTEE'S FINAL REPORT, APPLICATION FOR
COMPENSATION AND REPORT OF PROPOSED DISTRIBUTION**

ON THIS DAY CAME FOR CONSIDERATION the Trustee's Final Report, Application for Compensation and Report of Proposed Distribution filed by LINDA S. PAYNE, the duly appointed Chapter 7 Trustee. The Court finds that notice of the hearing has been given as required by the Bankruptcy Rules. The Court further finds that Orders allowing compensation and reimbursement of expenses for all professionals employed by the Trustee have been previously entered and no just cause exists to reconsider such orders at present time. Upon due consideration, the Court finds that cause exists which justifies the entry of the following Order:

IT IS THEREFORE ORDERED that the Chapter 7 Trustee's Application for Compensation in the amount of \$47.44 and reimbursement of expenses in the amount of \$139.65 is hereby granted

IT IS FURTHER ORDERED that the Chapter 7 Trustee shall make final distribution of the amounts set forth in the Trustee's Final Report approved by this Court and shall file a Supplemental Final Report and Account together with such bank statements as are necessary to document a zero balance in all Estate Accounts, following compliance with 11 U.S.C. Section 347 of the Bankruptcy Code and Bankruptcy Rule 3011, if applicable.

Dated:

Honorable Brenda T. Rhoades
United States Bankruptcy Judge

Claims Distribution Register

Case: 01-43071 WEST, DEWAINE BRIAN

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
Admin Ch. 7 Claims:								
	08/03/01	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2100-00 Trustee Compensation>	47.44	47.44	0.00	47.44	47.44
	08/03/01	200	LINDA S. PAYNE 100 NORTH MAIN ST. PARIS, TX 75460 <2200-00 Trustee Expenses>	139.65	139.65	0.00	139.65	139.65
Total for Priority 200: 100% Paid				\$187.09	\$187.09	\$0.00	\$187.09	\$187.09
Total for Admin Ch. 7 Claims:				\$187.09	\$187.09	\$0.00	\$187.09	\$187.09

Priority Claims:

14	08/26/02	570	Internal Revenue Service 55 North Robinson Stop 5025 OKC Oklahoma City, OK 73102 <5800-00 Claims of Governmental Units--§ 507(a)(8)> Unsecured	63,914.77	63,914.77	0.00	63,914.77	2.65
Priority 570: 0.00415% Paid								

Unsecured Claims:

1	10/10/01	610	Assured Hardwood 1009 N.E. 12th Street Fort Worth, TX 76102 <7100-00 General Unsecured § 726(a)(2)> Unsecured	816.75	816.75	0.00	816.75	0.00
2	10/05/01	610	Single Source 2451 Southwell Rd. Dallas, TX 75229 <7100-00 General Unsecured § 726(a)(2)> Unsecured	192.85	192.85	0.00	192.85	0.00
3	10/16/01	610	Discover Financial Services P. O. Box 8003 Hilliard, OH 43026 <7100-00 General Unsecured § 726(a)(2)> Unsecured	6,839.07	6,839.07	0.00	6,839.07	0.00
4	10/31/01	610	Fleet Credit Card Services, L.P. P.O. Box 1016 Horsham, PA 19044 <7100-00 General Unsecured § 726(a)(2)> Unsecured	3,355.58	3,355.58	0.00	3,355.58	0.00

Claims Distribution Register

Case: 01-43071 WEST, DEWAINÉ BRIAN

Claim #	Date	Pri	Claimant / Proof / <Category> / Memo	Amount Filed	Amount Allowed	Paid to Date	Claim Balance	Proposed Payment
5	11/15/01	610	Foley's P. O. box 1971 Houston, TX 77251 <7100-00 General Unsecured § 726(a)(2)> Unsecured	200.62	200.62	0.00	200.62	0.00
6	11/19/01	610	Harrison, Walker & Harper, LP 222 East Hickory St. Paris, TX 75460-2698 <7100-00 General Unsecured § 726(a)(2)> Unsecured	18,715.33	18,715.33	0.00	18,715.33	0.00
7	11/20/01	610	Retailers National Bank - Mervyn The Creditor's Rights & Bankruptcy 695 Rancocas Road, Suite 101 Westampton, NJ 08060 <7100-00 General Unsecured § 726(a)(2)> Unsecured	473.03	473.03	0.00	473.03	0.00
8	11/29/01	610	MBNA America Bank NA P. O. Box 15168 MS 1421 Wilmington, DE 19850 <7100-00 General Unsecured § 726(a)(2)> Unsecured	2,222.54	2,222.54	0.00	2,222.54	0.00
9	12/03/01	610	Collin County Tax P. O. Box 8006 McKinney, TX 75070 <7100-00 General Unsecured § 726(a)(2)> Unsecured	126.12	126.12	0.00	126.12	0.00
10	12/20/01	610	D&R Saw 700L, Inc. 11060 Harry Hines Dallas, TX 75229 <7100-00 General Unsecured § 726(a)(2)> Unsecured	1,767.63	1,767.63	0.00	1,767.63	0.00
11	12/26/01	610	Dillard National Bank P. O. Box 52051 Phoenix, Ar 85072-2051 <7100-00 General Unsecured § 726(a)(2)> Unsecured	416.49	416.49	0.00	416.49	0.00
Total for Priority 610: 0% Paid				\$35,126.01	\$35,126.01	\$0.00	\$35,126.01	\$0.00
12	12/31/01	620	Citibank/Choice Exception Payment Processing P.O. Box 6305 The Lakes, NV 88901-6305 <7200-00 Tardy General Unsecured § 726(a)(3)> Unsecured	1,290.74	1,290.74	0.00	1,290.74	0.00
13	01/14/02	620	First Consumers National Bank P.O. Box 2650 Portland, OR 97208 <7200-00 Tardy General Unsecured § 726(a)(3)> Unsecured	1,241.64	1,241.64	0.00	1,241.64	0.00
Total for Priority 620: 0% Paid				\$2,532.38	\$2,532.38	\$0.00	\$2,532.38	\$0.00

Claims Distribution Register

Case: 01-43071 WEST, DEWAINE BRIAN

/ Memo

Total for Unsecured Claims:	\$37,658.39	\$37,658.39	\$0.00	\$37,658.39	\$0.00
Total for Case :	\$101,760.25	\$101,760.25	\$0.00	\$101,760.25	\$189.74